## REMARKS

In the Office Action, the Examiner rejected claims 1-31 under 35 U.S.C. 103(a) as being unpatentable over Angles et al. (US 5,933,811) in view of Gerace (US 5,848,396) and in further view of Dedrick (5,724,521). The Applicants respectfully traverse this rejection.

The Claimed Invention of claims 1, 10, 17, 21, and 26 is Not Realized by the combination of Angles et al., Gerace, and Dedrick.

Claim 1, among other things, requires personalized content delivery code that is included in a downloaded web page and that, upon execution by the customer computer: (a) retrieves a session ID if saved on the customer computer; (b) creates a session ID if the session ID is not saved on the customer computer or if the session ID that is saved on the customer computer is expired; and (c) sends a query to a content management server that includes. . . . the session ID. Applicants herein focus on the shortcomings of the cited references with particular regard to the session ID of claim 1 and the other independent claims. The Applicants refer the Examiner to their response mailed 22 December 2003 for additional arguments regarding other deficiencies of the cited prior art.

Angles et al. does not disclose the creation, maintenance, or use of a session ID on a customer computer by the execution of content delivery code that is included in a downloaded web page. At page 4, lines 4-5 of the Action the Examiner states, "Angles does not explicitly disclose that the consumer's (sic) can be tracked over a specific time period or the utilization of a session ID to track specific user sessions." At page 11 (last line) of the Action the Examiner states, "Angles does not explicitly disclose a session ID." Thus, the Examiner agrees with the Applicants that Angles et al. fails to disclose the limitations of claim 1 relating to the session ID.

In an attempt to address the deficiencies of Angles et al, the Examiner cites Gerace. At page 12 of the Action, however, the Examiner admits that "Gerace does not explicitly disclose

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that the session ID is generated or stored on the user computer." In fact, Gerace discloses creating and maintaining a session ID for a user/customer **on a server 27, not a cust mer computer** as required by claim 1. In contradistinction to the limitations of claim 1, Gerace at col. 6, line 46- col. 7, line 23, discloses the creation of a User Session Object 37d by program 31 resident **on server 27**. Gerace fails to disclose the creation and maintenance of a session ID on a customer computer as required by claim 1 and, thus, Gerace fails to meet the deficiencies of Angles et al.

In an attempt to meet the deficiencies of Angles et al. and Gerace, the Examiner cites Dedrick as disclosing personalized content deliver (sic) code to be executed by the customer computer (Fig. 2, col. 6, lines 32-col. 8, line 40; col. 8, lines 1-5). While Dedrick discloses a session manager 29 included with each client system 12, Dedrick fails to disclose the creation, maintenance, or use of a **session ID** on a customer computer by the execution of **content delivery code** that is included in a **downloaded web page** as required by claim 1. Dedrick is silent as to how the session manager 29 is placed on the client system 12 and simply DOES NOT disclose the downloading of executable code to create the session manager 29. Thus, Dedrick fails to overcome the deficiencies of Angles and Gerace.

In summary, the Examiner has failed to disclose any combination of references that discloses the limitations of claim 1 regarding the session ID. What the Examiner is attempting to do is to relocate the session ID of the server 27 of Gerace into the functionality of the executable code of Angles and to combine this "combination" with the session manager 29 of Dedrick. As the Federal Circuit stated in *In re Rouffet*, 47 U.S.P.Q2d 1453, 1457-1458:

> [A]n examiner may often find every element of a claimed
> invention in the prior art. If identification of each claimed element
> in the prior art were sufficient to negate patentability, very few
> patents would ever issue. Furthermore, rejecting patents solely by

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finding prior art corollaries for the claimed elements would permit an examiner to use the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention. **Such an approach w uld be 'an illogical and inappropriate process by which to determine patentability.'** (cit. omitted). . . [T]he examiner must show reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited prior art references for combination **in the manner claimed**. The [Examiner must] explain what specific understanding or technological principle within the knowledge of one of ordinary skill in the art would have suggested the combination. (Emphasis added).

Thus, the Examiner is expressly prohibited from combining Angles et al., Gerace, and Dedrick in the attempted manner to render obvious claim 1. The limitations of claim 1 relating to the session ID, resident on the customer computer, are not disclosed, taught, or suggested by the cited references. For these reasons, claim 1 is allowable over the cited references. Claims 2-9, that depend from claim 1, are also allowable over the cited references.

Independent claim 10 is a method claim that includes limitations similar/same as those of claim 1 and is allowable over the cited references. Independent claim 17 is directed to a downloadable web page that includes limitations similar/same as those of claim 1 and is allowable over the cited references for the reasons provided above. Independent claim 21 is directed to a content management server and has been amended to include limitations similar/same as those of claim 1 and is allowable over the cited references. Independent claim 26 is directed to a computer readable medium and has been amended to include limitations similar/same as those of claim 1 and is allowable over the cited references. Thus, independent claims 10, 17, 21, and 26 are also allowable over the cited references. All other pending claims depend from one of these independent claims and are allowable for these same reasons.

<u>New claims 32, 33, 34, 35, and 36 are allowable for additional reasons.</u>

Each of claims 32-36 include the additional limitation that the session ID is deemed expired when it is no longer relevant to current browsing activity of the customer computer. This additional limitation is not disclosed, suggested, or taught by any of the cited references. Thus,
5 new claims 32-36 are allowable for this additional reason.

## CONCLUSIONS

All pending claims are now allowable and a notice of allowance is courteously solicited.

Please direct any questions or comments to the undersigned attorney at the address indicated.

Respectfully submitted,

Date: May 24, 2004

By: _____
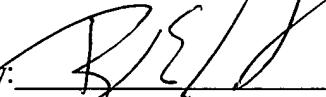
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